

**Application For Certification as a Legal Specialist
Admiralty and Maritime Law
(for those satisfying the alternative requirements to the written exam)**

This alternative application must be postmarked no later than July 24, 2012.

- MAIL YOUR APPLICATION TO: OFFICE OF LEGAL SPECIALIZATION, STATE BAR OF CALIFORNIA, 180 HOWARD STREET, SAN FRANCISCO, CA, 94105-1639.
- ENCLOSE THE \$300.00 FEE.
- REFER TO THE ENCLOSED RULES AND STANDARDS AS YOU COMPLETE THE APPLICATION AND ATTACHMENTS. RULES AND GENERAL INFORMATION REGARDING THE LEGAL SPECIALIZATION PROGRAM ARE FOUND ON OUR WEBSITE, www.californiaspecialist.org.

The Certification Process

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
THE APPLICATION IS REVIEWED FOR COMPLETENESS	EDUCATION IS VERIFIED	INDEPENDENT INQUIRY & REVIEW (II&R) BEGINS	APPLICATION FORWARDED TO ADVISORY COMMISSION FOR REVIEW AND RECOMMENDATION	RECOMMENDATION FORWARDED TO BOARD OF LEGAL SPECIALIZATION FOR ACTION

From the receipt of your application, the certification process takes an **AVERAGE** of 4 months. Please keep in mind, however, that, because the Advisory Commission meets only approximately every other month, a certain amount of lag time in the process is inevitable.

Other than acknowledging receipt of your application, **YOU WILL NOT HEAR FROM US UNLESS WE REQUIRE ADDITIONAL INFORMATION OR DOCUMENTS.** In other words, no news is good news.

How To Avoid Delays

Step 1 The Application is Reviewed for Completeness

Is the application signed and have all the necessary attachments been included? If the application is not signed, it will be returned to you. If attachments are missing, you will be notified and given 60 days to submit them. If you fail to submit them within 60 days from the date of the notice, the application will be deemed withdrawn.

Step 2 Education is Verified

Have you completed 45 hours of education in your specialty area? If applicable, have all special topic requirements been satisfied? If not, you will be notified and given 60 days to satisfy the education requirement. If you fail to do so within 60 days from the date of the notice, the application will be deemed withdrawn.

INSTRUCTIONS FOR ATTACHMENT B-1

Approved education activities are activities either individually approved for legal specialist credit or sponsored by approved legal specialist providers. Providers of approved legal specialist activities are subject to the same requirements as MCLE providers, so you should have been provided with a certificate of attendance indicating that the activity was approved for legal specialist credit and stating the number of hours of credit you received.

- **If you attended the program**, include with Attachment B-1 a copy of the certificate of attendance that the program sponsor is required to give you.
- **If you were a speaker at or taught the program**, include with Attachment B-1 sufficient documentation to verify it (the list of instructors, a letter or certificate from the provider, etc.). As

a speaker, you may claim 4 hours of CLE credit for each hour that you spoke (first time only -- credit for repeat presentations is limited to speaking time only).

Use the enclosed roster of approved education activities/providers as a reference to confirm that a course was approved or was offered by an approved provider.

INSTRUCTIONS FOR ATTACHMENT B-2

Programs not previously approved will be reviewed by the Advisory Commission for your specialty area. Enclose sufficient information for the Advisory Commission to determine whether credit should be granted (for example, promotional materials, a brief description of the program, course outline, list of instructors).

INSTRUCTIONS FOR ATTACHMENT B-3

With the exception of audio/visual reproductions of approved programs, alternate education activities must be reviewed by the Advisory Commission. To avoid delay, please provide complete information as indicated on Attachment B-2.

Step 3 Independent Inquiry and Review (II&R) Begins

Reference forms are mailed to the individuals listed on Attachment C. Your member record is checked for any public discipline at the start and end of the II&R process. **Most delays in the application process occur at this step.**

INSTRUCTIONS FOR ATTACHMENT C

References are given 14 days to respond. The *primary* references you send us are asked to submit two additional names of individuals familiar with your proficiency in the specialty area in which you are seeking certification. These *secondary* references are also given 14 days to respond. If, after 30 days, your primary references have not responded, you will be notified.

Delays are caused by:

- **References who are not correctly identified.** Be sure to include each reference's bar membership number. Because references must be attorneys or judges, we verify them against our Membership Records. The use of nicknames, incorrect last names (for example, as a result of a change in marital status), or illegible handwriting make this difficult. Including the bar membership number will insure that reference forms are sent promptly and to the right individual. Bar numbers can be found online at www.calbar.ca.gov under Attorney Search.
- **Ineligible references:** a relative, client, partner, associate, employer or employee. An *associate* is defined as an attorney who currently works in the same firm as the applicant, not someone who rents an office down the hall or otherwise shares space. If you submit a name or names with the same address as yours, please provide an explanation.
- **References who do not respond quickly or at all.** Make sure the references you provide know that we will be sending them a form and encourage them to return it promptly. However, we must have an original signature; references may not be returned to us via fax.
- **References who decline to comment** for various reasons, for example, a reference who is not familiar enough with your work to comment on your proficiency.

INSTRUCTIONS FOR REPORTING DISCIPLINE

At numbers 9.a and 9.b on the application form, you are required to disclose any attorney or other professional discipline against you by the State Bar of California or other authority authorized to impose professional discipline in California, or in any other state or jurisdiction, including foreign jurisdictions, AND any pending discipline.

For attorney discipline, list all instances of discipline in which the sanction imposed was public reproof or greater. Include (1) title of disciplinary action, (2) action number, (3) nature of charge, (4) nature of sanction, (5) date sanction was imposed, and (6) date sanction was terminated. For non-attorney professional discipline (e.g., accountancy), provide information similar to the above.

Step 4 Application is Forwarded to Advisory Commission for Review

The Advisory Commission, after reviewing your employment history, the task and experience attachment(s), your references, discipline, if any, education programs not previously approved, and alternate education activities, may take the following action:

- Recommend Certification -- The application proceeds to Step 5.
- Request Additional Information
- Recommend Denial -- You will be notified and given the option of providing additional information or withdrawing your application.

Step 5 Recommendations for Certification and Denial are Forwarded to the Board of Legal Specialization for Action

The Board reviews the recommendations of the Advisory Commission and may take the following action:

- Recommend Certification
- Request Additional Information from the Advisory Commission
- Recommend Denial -- You will be notified and given the option of providing additional information or withdrawing your application before the Board action becomes final.

Fees

Application/certification fees of \$300 must be submitted with the application. After you have been certified, you will be required to pay an annual fee of \$200, which will appear on your State Bar fee statement. The Legal Specialization program is required to be self-funding. The annual fee is used for the maintenance and promotion of the program.

Mailing Address

All correspondence is sent to you at your official address of record registered with the State Bar Office of Membership Records. Check your membership profile at www.calbar.ca.gov to be sure that your address is current. You can change your address online using My State Bar Profile, or obtain an address change form using the Attorney Forms link on the home page. The form can be faxed to (415) 538-2576.

Questions?

Contact Patricia Curd at patricia.curd@calbar.ca.gov or 415-538-2125.

INCLUDED IN THIS PACKET:

- Instructions
- Application for Certification
- List of Approved Providers
- Standards for Certification and Recertification

CHECKLIST	
Have you:	
<input type="checkbox"/>	Read the declaration?
<input type="checkbox"/>	Enclosed the \$300 fee?
<input type="checkbox"/>	Signed and dated the application?
<input type="checkbox"/>	Provided all information requested on the application and attachments?
<input type="checkbox"/>	Enclosed all attachments?
<input type="checkbox"/>	Attached additional sheets if you needed more space?
<input type="checkbox"/>	Put your name on the top of all attachments?
<input type="checkbox"/>	Made copies for your records?

ADMIRALTY AND MARITIME LAW
Approved Education Providers

Because Admiralty & Maritime Law is a new specialty, no education providers or individual activities have been approved for legal specialization credit. In order for providers to receive specialization approval for an education activity, they must meet the criteria outlined in Rules 7.3 and 7.4 of the Rules Governing the State Bar of California Program For Certifying Legal Specialists. Of particular interest is the following excerpt from 7.3:

- 7.3.1 The content of the activity must be relevant to the specialty or related fields.
- 7.3.2 The curriculum must provide a level of education required to achieve or maintain proficient practice in the specialized area of law. In determining whether the activity is so designed, the type of advertising employed by the sponsor will be considered.
- 7.3.3 The instructors must be qualified experts in the field in which they are teaching.
- 7.3.4 Where the activity is more than one (1) hour in length, substantive written materials must be distributed to the participants at or before the activity.

The following education providers have provided education programs in admiralty and maritime law or a related field in the past or have programs pending. Related fields can include but are not limited to: Civil Practice & Procedure; Commercial Contracts; Insurance; Trial Practice; Environmental; Personal Injury; International Maritime Law; Conflicts of Laws; Alternative Dispute Resolution. Courses offered by these providers that are relevant to admiralty and maritime law or a related field and meet the criteria set forth above may be used to satisfy the 45-hour requirement for certification. To submit such courses, use Attachment B-2 of the certification application.

American Association of Port Authorities (AAPA)

American Bar Association (ABA) Trial Tort and Insurance Practice Section, Admiralty and Maritime Law Committee

American Inns of Court

American Institute of Marine Underwriters

Bar Association of San Francisco, Pacific Admiralty Section

Board of Marine Underwriters of San Francisco

Breakbulk Transportation Conference

California Maritime Academy

- International Maritime Law – 3/29-30/08 (**sample course**)

Consumer Attorneys Association of Los Angeles

- Exxon Shipping Co. v. Baker: Maritime Punitive Damages & the Search for a Silver Lining (60 minute Webinar) – 3/4/09 (**sample course**)

Continuing Education of the Bar (CEB)

CoolCargoes Conference

Journal of Commerce Conferences

Lloyd's List Events

- Informa Maritime Events

Lloyd's Maritime Academy

- Seminars, Masterclass, Distance Learning

Lloyd's Shipping Law Congress Online

- webcasts covering various maritime law topics

Longshore Institute

Los Angeles Bar Association

Loyola University (New Orleans)

- Annual Longshore Conference -- 3/18-19/10 (**sample course**)

Marine Insurance Association of Seattle

- 21st Annual Education Day – 5/6/09 (**sample course**)

Marine Insurance Seminars

- Houston Marine Insurance Seminar – 9/20-22/2009 (**sample course**)

Marine Underwriters of Southern California (MUSC) Educational Day

- The Foundations of Lloyd's of London (**sample course**)
- International Piracy on the High Seas (**sample course**)
- Industry Financial Overview – 4/12/09 (**sample course**)
- The Role of the Surveyor: Establishing Nature, Cause & Extend of Loss along with Investigating Value, Establishing Fault/Responsibility – 4/23/09 (**sample course**)
- Cargo Theft & Loss Prevention – 2/12/08 (**sample course**)

Maritime Law Association of United States (MLAUS)

- Annual Meeting – 11/ 2009 (**sample course**)
- Committee Meetings (**sample course**)

North American Marine Highways & Logistics Conference

Pacific Admiralty Seminars – Approved provider by the State Bar of California Board of Legal Specialization

- Enduring and Emerging Issues in Maritime Law Bar Assn of the City of San Francisco – 10/6/06 (**sample course**)

Rutter Group

San Diego Bar Association

Southeastern Admiralty Law Institute

- 2009 SEALI Annual Meeting – 10/1 to 4/09 (**sample course**)
- 2010 Annual Seminar (**sample course**)

State Bar of California Sections

Trans-Pacific Maritime Conference

Tulane University School of Law

- 22nd Biennial Admiralty Law Institute – 3/11-13/09 (**sample course**)

UK P&I Club Seminars

University of San Francisco Maritime Law Course

- Advanced Longshore Act Seminar 2009 – 4/3/09 (**sample course**)

University of Texas at Austin School of Law

- Admiralty Law Conferences -- (Houston Oct. 23, 2009 & 2008 (**sample courses**):
- On Line (**sample courses**):
 - Recent Developments in Admiralty Law; plus 25 Years on the Fifth Circuit
 - Attorneys' Fees Under the LHWCA (Longshore and Harbor Workers' Compensation Act)
 - Piracy in the 21st Century; plus How to Seize a Ship in the Southern District of Texas
 - Bankruptcy Issues in Maritime Law; plus Maintenance and Cure: Two Perspectives

University of Washington School of Law, Seattle

- Admiralty Law Seminar -- 1/12/07 (**sample course**)

West LegalEdcenter ONLINE

- Handling Workplace Injuries Under the Longshore and Harbor Workers' Compensation – 4/27/06 (**sample course**)

Workers Injury Law and Advocacy Group

Workers' Injury Law Group

- 4th Annual Longshore Conference Oct. 16-19, 2009 (**sample course**)

THE CALIFORNIA BOARD OF
 LEGAL SPECIALIZATION
 The State Bar of California
 180 Howard Street
 San Francisco, CA 94105-1639
 (415) 538-2120
 legalspec@calbar.ca.gov

**State Bar of California Program for Certifying
 Legal Specialists**

C-O-N-F-I-D-E-N-T-I-A-L

**APPLICATION FOR CERTIFICATION
 Admiralty and Maritime Law Specialist**

**ALTERNATIVE TO WRITTEN EXAMINATION
 (must be postmarked no later than July 24, 2012)**

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For Office Use Only
 Legal Specialization

- No check enclosed
 \$300 Application/Cert Fee

PLEASE PRINT OR TYPE. CHECK ALL BOXES THAT APPLY.

1. Name & Address (exactly as they appear on State Bar membership records)	2. Bar Number 3. Daytime Phone Number () 4. E-mail Address								
5. I am admitted to practice law in the following states(s): <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; border-bottom: 1px solid black;"><u>State</u></th> <th style="text-align: left; border-bottom: 1px solid black;"><u>Date Admitted</u></th> </tr> </thead> <tbody> <tr> <td style="border-bottom: 1px solid black;"><u>CA</u></td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">_____</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> <tr> <td style="border-bottom: 1px solid black;">_____</td> <td style="border-bottom: 1px solid black;">_____</td> </tr> </tbody> </table>	<u>State</u>	<u>Date Admitted</u>	<u>CA</u>	_____	_____	_____	_____	_____	6. At the time of application for certification, I am an active member of the State Bar of California. I have been engaged in the practice of law continuously during the five years immediately preceding the submission of [this] application for certification and, in <u>each</u> of those years, have practiced admiralty and maritime law for at least 25% of the time spent in my occupational endeavors. <input type="checkbox"/> Yes <input type="checkbox"/> No IF NO, STOP HERE. You are not eligible to apply.
<u>State</u>	<u>Date Admitted</u>								
<u>CA</u>	_____								
_____	_____								
_____	_____								
7. The following is a complete statement of my employment since my admission to practice law: LIST MOST RECENT EMPLOYMENT FIRST. ATTACH SEPARATE SHEET IF NECESSARY. <input type="checkbox"/> CHECK HERE IF ADDITIONAL SHEETS ARE ATTACHED.									
Dates of Employment	Employer	Employer's Address	Nature of Employment (summarize nature of work performed)						

8. Since your admission to the State Bar of California:

- a. Have you been disbarred, suspended or disciplined by the State Bar of California or similar attorney disciplinary authority or any other authority that imposes professional discipline in California, or in another state or jurisdiction, including a foreign jurisdiction? Yes No
- b. Do you have any discipline pending? Yes No
- c. Have you had any felony convictions? Yes No
- d. Did you resign from any bar, court or body before whom you appear? Yes No
- e. Have there been three or more judgments of professional negligence against you? *(If yes, please attach the relevant documents.)* Yes No
- f. Have any sanctions, other than discovery sanctions, been entered against you by any court or body before whom you appear? Yes No
- g. Have any findings of contempt been made against you by any court or body before whom you appear? Yes No
- h. Have you been denied certification or recertification as a legal specialist by the State Bar of California Board of Legal Specialization, or any other certifying body? Yes No

IF YOU ANSWER YES TO ANY OF THE ABOVE, YOU MUST PROVIDE FULL DETAILS ON A SEPARATE SHEET. A record of discipline or failure to disclose any of the information requested above may constitute grounds for denial of your application.

DECLARATION

I hereby authorize all educational institutions, governmental agencies and instrumentalities (including bar associations and bar examiners of other jurisdictions), employers and business and professional associates (past and present), to release to the California Board of Legal Specialization and the Admiralty and Maritime Law Advisory Commission any nonprivileged information, files or records requested by them for the purpose of processing this application. The foregoing release does not apply to matters communicated by me in confidence to any lawyer, spouse, physician, psychotherapist or clergy person for which I have privilege of nondisclosure under the provisions of Chapter 4, Division 8 of the California Evidence Code.

I further authorize the Admiralty and Maritime Law Advisory Commission to conduct independent inquiry and review as provided in section 9.0 of the Rules.

I agree to pay all fees required by the California Board of Legal Specialization when due.

I agree to abide by all rules and regulations of the California Board of Legal Specialization as amended from time to time and to furnish to the Board and the Admiralty and Maritime Law Advisory Commission such information as they may require to determine my entitlement to certification.

I am the applicant herein for certification as an admiralty and maritime law specialist under the State Bar of California Program for Certifying Legal Specialists. I fully understand that failure to make a truthful disclosure of any fact, item or information required may result in the denial of my application, revocation of my certificate of specialization, or disciplinary action by the State Bar of California. I have carefully read and answered each question completely and truthfully in the foregoing application and any attachments hereto, and certify that the information therein is true and correct to the best of my knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on:

Date: _____

Print Name: _____ Signature: _____

TASK AND EXPERIENCE REQUIREMENT

ATTACHMENT A – ALTERNATIVE TO EXAM

Applicants for certification in Admiralty and Maritime Law may satisfy additional requirements in lieu of passing a written examination. This option is available only until **July 24, 2012**. It is NOT available to an applicant who sat for but did not pass the written examination.

Applicant Name: _____ Bar Number: _____

The Admiralty and Maritime Law Advisory Commission may require additional evidence of completion of tasks and experience as indicated in this Attachment A.

1. PRACTICE DESCRIPTION

Provide a description of your admiralty and maritime law practice, noting the nature of the tasks you routinely perform that you have relied on in seeking qualification as an Admiralty and Maritime Law specialist.

2. PRACTICE EXPERIENCE

You must submit a total of at least 400 points. Points may be accumulated from any of the tasks, subject to the maximums specified per task. Note: If your point total is at least 450, you are NOT required to complete Attachment D.

Within the five years immediately preceding submission of this application, I have been substantially involved in the practice of admiralty and maritime law as demonstrated by performance of the tasks listed below. **COMPLETE ALL BOXES THAT APPLY.**

EACH TASK MAY BE COUNTED IN ONLY ONE CATEGORY.

NOTE: With respect to each task, the applicant must have performed the task personally or had direct and primary responsibility for its performance under his or her close and ongoing supervision. For purposes of this showing, points may be accumulated from any of the tasks subject to the maximums specified per task. However, each task may be counted only once. The term “dispositive hearing” as used hereinafter means determinative of one or more of the issues identified in one or more task requirements, with a minimum of 100 points in 2.1.

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
2.1	Serve as principal attorney in a potentially dispositive hearing, arbitration or a trial that determines:		
2.1.1	Admiralty jurisdiction, including but not limited to: (1) the basis of admiralty jurisdiction; (2) the consequences of admiralty jurisdiction; (3) the doctrine of exclusive admiralty jurisdiction; (4) the operation of the savings to suitors clause; (5) an action involving the operation of the Admiralty Extension Act; and/or (6) the basis for supplemental jurisdiction over non-maritime claims. 10 points per matter. Maximum number of points in this category: 50 points		
2.1.2	Proper venue, including but not limited to: (1) proper venue in an <i>in rem</i> or <i>quasi in rem</i> action; (2) venue pursuant to 28 USC Section 1391; (3) proper venue in action for maritime personal injury, including but not limited to an action against a Jones Act employer, a shipowner or a passenger carrier; (4) the factors justifying the transfer of venue pursuant to 28 USC Section 1404; (5) removal of a maritime cause of action from state to federal court; and/or (6) proper venue under the Suits in Admiralty Act, the Public Vessels Act or a Limitation Action. 10 points per matter. Maximum number of points in this category: 50 points		

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
2.1.3	Choice of law, including but not limited to: (1) the operation of a choice of law clause in a maritime contract governing actions in either contract or tort or both; (2) application of the <i>Lauritzen/Rhoditis</i> factors; (3) the effect of a bankruptcy court automatic stay upon an <i>in rem</i> proceeding; (4) the creation of a maritime lien upon a vessel operated by an owner undergoing Ch.11 bankruptcy reorganization; and/or (5) role of state law in a maritime law action. 10 points per matter. Maximum number of points in this category: 50 points		
2.1.4	Choice of forum or <i>forum non-conveniens</i> issues in an interstate or international contract. 10 points per matter. Maximum number of points in this category: 30 points		
2.1.5	Legal liability for the loss of or damage to cargo transported under an ocean bill of lading. 25 points per matter. Maximum number of points in this category: 75 points		
2.1.6	Liability and or damages in a maritime personal injury or wrongful death claim. 40 points per matter. Maximum number of points in this category: 120 points		
2.1.7	Liability and other maritime tort claims, including collision, allision or pollution claims, and/or marine products liability. 40 points per matter. Maximum number of points in this category: 120 points		
2.1.8	An arrest of a vessel to the conclusion of the action. 30 points per matter. Maximum number of points in this category: 90 points		
2.1.9	A Motion for Interlocutory Sale of a vessel. 5 points per matter. Maximum number of points in this category: 20 points		
2.1.10	The ranking or validity of two or more competing maritime liens. 30 points per matter. Maximum number of points in this category: 90 points		
2.1.11	A claim for a maritime lien under the California Harbors and Navigation Code's "Boaters Lien Law" through to the conclusion of the action. 30 points per matter. Maximum number of points in this category: 90 points		
2.1.12	The rights of either a claimant or employer in an LHWCA proceeding before an Administrative Law Judge through to a final award. 30 points per matter. Maximum number of points: 150 points		
2.1.13	A wrongful arrest action through to the conclusion of the action. 30 points per matter. Maximum number of points in this category: 90 points		
2.2	Preparing and drafting a brief, contract, pleading or other legal document or report as follows:		
2.2.1	Drafting a motion where any one of the following is determined: (a) the right of a shipowner to limit its liability; (b) the ability of party to qualify as a "shipowner" entitled to limit its liability; (c) the impact of the Flotilla Rule upon the limitation fund or limitation amount; (d) the valuation of the fund or limitation amount. 15 points per matter. Maximum number of points in this category: 45 points		
2.2.2	Authoring the brief(s) filed in a dispositive hearing or trial in state or federal district court where one or more issues of substantive admiralty and maritime law is decided. 30 points per matter. Maximum number of points in this category: 90 points		
2.2.3	Providing substantive written legal advice or analysis to a client, claimant, or other interested party regarding the existence, validity or ranking of maritime liens. 5 points per matter. Maximum number of points in this category: 45 points		

2.2.4	Providing substantive written legal advice or analysis to a client, claimant or other interested party evaluating the merits or value of a maritime personal injury or wrongful death claim or a defense thereto. 5 points per matter. Maximum number of points in this category: 30 points		
2.2.5	Acting as the attorney primarily responsible for preparing and filing a complaint asserting a claim for maritime personal injury. 30 points per matter. Maximum number of points in this category: 30 points		
2.2.6	Preparing a letter of undertaking or other form of security to avert an arrest or effectuate the release of a vessel under arrest. 5 points per matter. Maximum number of points in this category: 20 points		
2.2.7	Preparing and filing: (a) A petition for Limitation of Liability under the Limitation of Ship Owners' Liability Act. 15 points per matter. (b) An Answer and Claim in a limitation of liability action. 5 points per matter. Maximum number of points in this category: 35 points		
2.2.8	Preparing a maritime contract, including but not limited to: (a) a ticket contract or other contract for passage; (b) a bill of lading or other contract of carriage; (c) a towage contract; (d) a salvage contract; (e) a contract of marine insurance; (f) a first preferred ship's mortgage; (g) a wharfage contract; (h) a ship repair or boat yard work order contract; or (i) maritime terminal facilities, stevedoring, or terminal service agreements. 15 points per contract. Maximum number of points: 90 points		
2.2.9	Providing substantive written legal advice or analysis to a client, claimant, or other interested party regarding the existence, scope, limitations and/or defenses to coverage under a marine insurance policy. 10 points per matter. Maximum number of points in this category: 50 points		
2.2.10	Providing substantive written legal advice or analysis to a client, claimant, or other interested party regarding the existence, value, merits and/or defenses to a salvage claim. 5 points per matter. Maximum number of points in this category: 30 points		
2.2.11	Providing substantive written legal advice or analysis to a client, claimant, or other interested party in connection with a claim for the collection of freight and/or the enforcement of a lien for unpaid freight. 5 points per matter. Maximum number of points in this category: 30 points		
2.2.12	Providing substantive written legal advice or analysis to a client, claimant, or other interested party regarding the merits and/or defenses to a claim for unpaid wages, unearned wages, penalty wages, or maintenance and cure. 5 points per matter. Maximum number of points in this category: 30 points		
2.3	Acting as principal attorney in any of the following vessel transactions:		
2.3.1	Representing a shipowner or charterer in negotiation and drafting a charter party through its execution. 15 points per matter. Maximum number of points in this category: 45 points		
2.3.2	Hiring of crew, provisioning the vessel, or tendering the vessel pursuant to a charter party. 5 points per matter. Maximum number of points in this category: 25 points		

2.3.3	Representing an owner in obtaining the documentation of a U.S. flagged vessel or continuing its documentation following rebuild. 20 points per matter. Maximum number of points in this category: 60 points		
2.3.4	Representing a seller or purchaser in a vessel construction and/or sale transaction through to the conclusion of the construction and sale and the finalization of the vessel sale contract. 15 points per matter. Maximum number of points in this category: 30 points		
2.4	Other eligible tasks and experience:		
2.4.1	Testifying as an expert witness in an action in a foreign forum where the topic on which you have been retained to testify and/or consult is a matter of substantive U.S. admiralty or maritime law, or a federal or state forum where the topic on which you have been retained to testify and/or consult is the standard of care/custom of practice in handling an admiralty and maritime law matter. 20 points per matter. Maximum number of points in this category: 80 points		
2.4.2	Acting as a judge, arbitrator, special master or mediator in any litigation or formal mediation where matters of admiralty or maritime law are among the primary contested issues. 30 points per separate judicial or arbitration proceeding which proceeded to a final decision. 15 points per mediation. Maximum number of points in this category: 90 points		
2.4.3	Acting as the principal attorney in preparing a mediation brief and representing a client at mediation. 10 points per matter. Maximum number of points in this category: 50 points		
2.4.4	In a matter before an administrative agency/entity in connection with: (a) the operation of vessels or watercraft; (b) licensing of maritime personnel; (c) issuance of ocean bills of lading or publication of tariffs; (d) filing a report of maritime casualty or in connection with a U.S. Coast Guard maritime casualty investigation; (e) a U.S. Coast Guard administrative proceeding; (f) the operation of a pier or marine terminal; (g) licensing of non-vessel operating common carrier or freight forwarder. 20 points per matter. Maximum number of points in this category: 120 points		
2.4.5	Industry experience, such as having been licensed as a mariner or attendance at a maritime academy, will be considered on a case-by-case basis. Maximum number of points in this category: 50 points		
	TOTAL		(minimum of 400 pts)

EDUCATION REQUIREMENT

ATTACHMENT B

Applicant Name: _____ Bar Number: _____

In order to satisfy the education requirement for certification, you must have completed at least 45 hours of approved education as specified in section 3.0 of the Standards ***within the three years immediately preceding submission of this application.*** One-half, or 22.5 hours, may be satisfied with alternative educational activities as described in section 6.2 of the Rules.

REMEMBER: Courses taken to fulfill the MCLE special topic requirements (legal ethics, substance abuse/mental distress, elimination of bias in the legal profession) CANNOT be used to satisfy the education requirement for certification, although a course in legal ethics that relates specifically to your specialty area may qualify.

ON ATTACHMENT B-1, list the educational activities you have attended or taught (excluding alternative educational activities) that were specifically approved for legal specialist credit. Refer to Attachment B-1 for the type of documentation required.

ON ATTACHMENT B-2, list the educational activities you have attended or taught (excluding alternative educational activities) that were not specifically approved for legal specialist credit. Refer to Attachment B-2 for a further explanation and the type of documentation required.

ON ATTACHMENT B-3, list any alternative educational activities (section 6.2 of the Rules) that you have completed to satisfy the education requirement. Keep in mind that, with the exception of approved tapes, hours claimed for alternative educational activities are subject to approval by the Advisory Commission.

Summarize your hours in the grid provided below.

SUMMARY OF EDUCATION ACTIVITIES (INCLUDING ALTERNATIVES)

HOURS ATTENDED OR TAUGHT (total from B-1 + B-2)	HOURS OF ALTERNATIVE EDUCATION (total from B-3)	TOTAL (minimum of 45 hours)

EDUCATION REQUIREMENT

ATTACHMENT B-1

Applicant Name: _____ Bar Number: _____

On this attachment, list the educational activities you have attended or taught (excluding alternative educational activities as described in section 6.2 of the Rules) that were specifically approved for legal specialist credit. Providers of approved legal specialist activities are subject to the same requirements as MCLE providers, so you should have been provided with a **certificate of attendance** indicating that the activity was approved for legal specialist credit and stating the number of hours of credit you received.

COPY THIS ATTACHMENT IF ADDITIONAL SPACE IS NEEDED.

DOCUMENTATION REQUIRED FOR EACH ACTIVITY: certificate of attendance. The provider is required to give you a certificate of attendance. If you did not receive a certificate, contact the provider.

NAME OF PROGRAM SPONSOR OR APPROVED PROVIDER	NAME OF PROGRAM	HOURS ATTENDED	HOURS TAUGHT	DATE COMPLETED
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	

*Calculate credit for teaching as follows: Next to **HOURS**, put the actual number of hours of speaking time. Check the appropriate box to indicate whether it was your first time presenting the activity or a repeat presentation. If it was the first time, multiply the actual speaking time by 4 and put the result next to **TOTAL**. If it was a repeat presentation, you may claim only actual speaking time. In that case, **HOURS** and **TOTAL** will be the same number.

EDUCATION REQUIREMENT

ATTACHMENT B-2

Applicant Name: _____ Bar Number: _____

On this attachment, list the educational activities you have attended or taught (excluding alternative educational activities as described in section 6.2 of the Rules) that were NOT specifically approved for legal specialist credit but that you believe meet the criteria for approval of educational activities set forth in section 7.3 of the Rules.

COPY THIS ATTACHMENT IF ADDITIONAL SPACE IS NEEDED.

DOCUMENTATION REQUIRED FOR EACH ACTIVITY: Sufficient information for the Advisory Commission to determine whether credit should be granted (for example, promotional materials, a brief description of the program, course outline, list of instructors).

NAME OF PROGRAM SPONSOR	NAME OF PROGRAM	HOURS ATTENDED	HOURS TAUGHT	DATE COMPLETED
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	
			_____ HOURS <input type="checkbox"/> 1ST TIME <input type="checkbox"/> REPEAT _____ TOTAL*	

*Calculate credit for teaching as follows: Next to **HOURS**, put the actual number of hours of speaking time. Check the appropriate box to indicate whether it was your first time presenting the activity or a repeat presentation. If it was the first time, multiply the actual speaking time by 4 and put the result next to **TOTAL**. If it was a repeat presentation, you may claim only actual speaking time. In that case, **HOURS** and **TOTAL** will be the same number.

EDUCATION REQUIREMENT

ATTACHMENT B-3

Applicant Name: _____ Bar Number: _____

On this attachment, list the alternative methods you used to satisfy the education requirement. Remember that no more than one-half (1/2) of your requirement can be satisfied in this manner. SEE SECTION 6.2 OF THE RULES FOR LIMITATIONS ON ALTERNATIVE METHODS TO SATISFY THE EDUCATIONAL REQUIREMENT.

If you are submitting activities that require Advisory Commission approval, we recommend that you **SUBMIT YOUR APPLICATION NO LATER THAN FOUR MONTHS PRIOR TO THE DEADLINE.**

The Advisory Commission may require additional information regarding alternative education activities.

ALTERNATIVE EDUCATION	# HOURS REQUESTED
1. Self-verified listening to and/or viewing of a complete audio or audio/visual reproduction of an approved program or program segment. Such tapes must be approved for educational credit and listened to or viewed within the time period for which they were approved. <u>YOU MUST ATTACH A LIST OF YOUR SELF-STUDY ACTIVITIES.</u>	
2. Self-verified participation in other approved audiovisual activities, including interactive video instruction and activities electronically transmitted from another location, such as online education. <u>YOU MUST ATTACH A LIST OF YOUR SELF-STUDY ACTIVITIES.</u>	
3. Writing or editing published articles or books relating to admiralty and maritime law. PLEASE SUBMIT A COPY OF THE MATERIALS FOR WHICH YOU ARE CLAIMING CREDIT. The hours of credit to be allowed shall be determined by the Commission after consideration of the amount and quality of the submitted materials.	
4. Teaching a course in the field of admiralty and maritime law at an accredited institution of higher education. The hours of credit to be allowed shall be determined by the Commission based upon the amount and quality of professional education involved. NAME OF INSTITUTION: NAME OF COURSE: BRIEF DESCRIPTION: TO WHOM THE COURSE WAS TAUGHT: DATE COMPLETED:	
5. Completion of an advanced postgraduate course at an accredited law school that includes education in admiralty and maritime law. The hours of credit to be allowed shall be determined by the Commission based upon the amount and quality of professional education involved. NAME OF LAW SCHOOL: COURSE COMPLETED: DATE COMPLETED:	

INDEPENDENT INQUIRY AND REVIEW

ATTACHMENT C

Applicant Name: _____ Bar Number: _____

I submit the names and addresses of the following three attorneys or judges who have had an opportunity to observe my work and who can attest to my proficiency in the practice of admiralty and maritime law.

The references do not include any attorney who is my relative or who currently is my client, partner, associate, employer or employee.

All references, communications, reference forms, and information gathered pertaining to the applicant shall be the property of the State Bar and are confidential and no information concerning them and the matter to which they relate shall be given to any person except upon prior order of the Board of Governors of the State Bar or as provided in the Rules and Regulations.

Include each reference's California bar membership number to insure that reference forms are sent promptly and to the right individual. Bar membership numbers can be found online at www.calbar.ca.gov under Attorney Search.

NAME AND BAR NUMBER	ADDRESS
1.	
2.	
3.	

ADDITIONAL REQUIREMENTS

ATTACHMENT D – ALTERNATIVE

Applicants for certification in Admiralty and Maritime Law may satisfy additional requirements in lieu of passing a written examination. This option is available only until July 24, 2012. It is NOT available to an applicant who sat for but did not pass the written examination.

Applicant Name: _____ Bar Number: _____

Within the five years immediately preceding submission of this application, I have fulfilled the following additional requirements. Information submitted on this attachment may be counted only once (e.g., courses or publications listed on Attachments B-1, 2 or 3 may not also be listed here).

If the point total you listed in Attachment A is AT LEAST 450, you are not required to complete this attachment.

Accumulate 400 points in Attachment A;

AND

CHECK AT LEAST ONE BOX:

Authoring at least two articles, each not less than 2,500 words in length (approximately 10 pages based on 250 words per page and 25 lines per page in Courier New 12 pt.) concerning or pertaining to a maritime legal issue, which is published in a journal, law review, maritime trade publication or similar periodical with a claimed circulation of at least 250 recipients per issue. All articles must be submitted for review, to confirm each article relates substantially and primarily to maritime (or admiralty) law issues, and to assure compliance with the above requirements. **(ATTACH A COPY)**

NAME OF ARTICLE	DATE PUBLISHED
1.	
2.	

OR

Authoring or co-authoring a chapter in a treatise or similar book, which is not less than 2,500 words in length, concerning or pertaining to one or more matters relating to maritime/admiralty law. All books or chapters must be submitted for review, to confirm they relate substantially and primarily to maritime (or admiralty) law issues, and to assure compliance with the above requirements. **(ATTACH A COPY)**

NAME OF CHAPTER/BOOK	DATE PUBLISHED
1.	
2.	

OR

Presentation on at least two occasions (for a total of not less than four hours of approved continuing legal education) on topics substantially related to admiralty and maritime law matters or issues, or presentation on at least two occasions (for a total of not less than eight hours of presentation) before maritime industry or trade organizations, on topics substantially involving maritime or admiralty law principles, which potentially impact such industry or trade organizations' members. **(ATTACH ADDITIONAL INFORMATION AS NEEDED)**

NAME OF PROGRAM SPONSOR	NAME OF PROGRAM	HOURS TAUGHT	DATE
1.			
2.			
3.			
4.			

OR

Teaching a two or three unit class substantively related to admiralty and maritime law, or a related topic, at least twice at an accredited institution of higher education. Credit for teaching may be used either for purposes of satisfying the alternative to written examination requirement or for purposes of satisfying continuing legal education requirements, but not for both purposes.

NAME OF INSTITUTION	NAME OF COURSE	UNITS TAUGHT	DATE
1.			
2.			

OR

Devoting not less than 25 hours in connection with: (a) preparing for and providing testimony before any committee or sub-committee of the Congress or any other legislative body regarding or concerning admiralty and/or maritime law, or (b) drafting or contributing to the drafting of legislation concerning admiralty and/or maritime law matters, or (c) providing professional services in the capacity of an expert concerning admiralty and/or maritime law matters. Credit for such expert services may be used either for purposes of satisfying the alternative to written exam requirements or for purposes of satisfying continuing legal education requirements, but not for both purposes. **(PLEASE PROVIDE A BRIEF NARRATIVE STATEMENT SUMMARIZING YOUR INVOLVEMENT)**

OR

Serving as an editor or in a similar position for American Maritime Cases, devoting at least 25 hours in connection with such position. **(PLEASE PROVIDE A BRIEF NARRATIVE STATEMENT SUMMARIZING YOUR INVOLVEMENT)**